IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

AND
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 7911 of 2004

Between:

The A.P. Vaidya Vidhana Parishad, rep. by its Commissioner, Sultan Bazar, Hyderabad

..... PETITIONER

AND

1 Dr. P. Vasudev Rao, S/o.P. Raja Rao, Civil Assistant Surgeon, Area Hospital, Nuzvid, Krishna District
2 The District Coordinator of Hospital Services, Krishna at Machilipatnam
3 The Medical Superintendent, Area Hospital, Nuzvid, Krishna District.
4 The Government of A.P., rep. by its Principal Secretary, Health, Medical & Family Welfare Department, Secretariat, Hyderabad.
5 The Registrar, A.P. Administrative Tribunal, Hyderabad. (Respondents 2, 3 and 5 are not necessary parties in main WP).

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders, direction or directions, Writ or Writs, particularly one in the nature of Writ of Certiorari calling for the records relating to the impugned orders in O.A. No. 2202 of 2004 dt 25.3.2004 passed by the A.P. Administrative Tribunal, Hyderabad and quash the same and to pass such other orders as are necessary in the interest of Justice.

Counsel for the Petitioner: MR. K.L.N.SWAMY

Counsel for Respondent No.1: MR. D.LINGA RAO

Counsel for Respondent NO.4: GP FOR MEDICAL HEALTH & FAMILY WELFARE

The Court made the following **ORDER:**

(Per G.Bikshapathy, J)

This writ petition is filed assailing the order passed by the A.P. Administrative Tribunal (for short, 'the Tribunal') in O.A.No.2202 of 2004, dated 25.03.2004.

2. We need not labour ourselves to trace out the history of the case. The petitioner, who was working in Nuzvid as Medical Officer, was transferred to Amalapuram. Against the said transfer order, he filed the above O.A. before the Tribunal and the same was disposed of, directing the first respondent to file an appeal before the Government. However, the appeal filed by the first respondent is still pending before the Government. But, in the meanwhile, the first respondent was relieved by the A.P.Vaidya Vidhana Parishad, Hyderabad, on 11.03.2004, on the ground that no orders have been passed by the Government. Against the said order, again he filed the O.A. and the same was allowed by the Tribunal by order dated 25.03.2004. Against the said order the present writ petition has been filed.

3. Inasmuch as the appeal filed by the first respondent against the transfer orders issued by the A.P.Vaidya Vidhana Parishad transferring him from Nuzvid to Amalapuram is yet to be disposed of by the Government as per the directions of the Tribunal, we direct that the Government – fourth respondent shall dispose of the appeal filed by the first respondent, if not disposed of, within a period of 6 (SIX) weeks from the date of receipt of a copy of this order. Pending final orders to be passed by the Government on the appeal filed by the first respondent, he shall be continued at Nuzvid.

4. The writ petition is accordingly disposed of with the above direction. No costs.

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(G.BIKSHAPATHY, J)

Dated: 28th June, 2004.

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(B.SESHASAYANA REDDY, J)

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Copies to

1.The Hon'ble Sri Justice G.Bikshapathy (for His Lordship's kind perusal).

2.The Hon'ble Sri Justice B.Seshasayana Reddy (for His Lordship's kind perusal).

3.The District Co-ordinator of Hospital Services,
Krishna at Machilipatnam.

4.The Medical Superintendent, Area Hospital, Nuzvid, Krishna district.

5.The Prl. Secretary, Health, Medical and Family Welfare Department,
Government of A.P., Secretariat, Hyderabad.

6.The Registrar, A.P.Administrative Tribunal, Hyderabad.

7.Two CCs to the learned Government Pleader for Medical Health and Family Welfare, High Court Buildings, Hyderabad (O.U.T).

8.Two CD copies.